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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

*In re Toy Asbestos Litigation*

**Case No. 4:19-cv-00325-HSG**

**DECLARATION OF BENJAMIN  
ADAMS IN SUPPORT OF  
PLAINTIFFS' RESPONSE TO  
DEFENDANT INGERSOLL-RAND  
COMPANY'S MOTION TO STRIKE  
PLAINTIFF'S EXPERT DR. BRENT  
STAGGS, HIS OPINIONS AND  
REPORTS, AND ANY RELIANCE  
THEREON**

**[Filed concurrently with Plaintiffs'  
Response to Defendant Ingersoll-Rand  
Company's Motion to Strike Plaintiff's  
Expert Dr. Brent Staggs, His Opinions  
and Reports, and Any Reliance  
Thereon; [Proposed] Order]**

Date: May 21, 2020  
Time: 2:00 p.m.  
Dept.: Courtroom 2  
Judge: Hon. Haywood S. Gilliam, Jr.

Trial Date: July 27, 2020  
Date Removed: January 18, 2019

1 I, Benjamin H. Adams, declare:

2 1. I am an attorney at law admitted to practice before all the Courts of the State of  
3 California and I am counsel of record for Plaintiffs. I make this declaration in support of  
4 Plaintiffs' Response in Opposition to Defendant Ingersoll-Rand Company's Motion to Strike  
5 Plaintiffs' Expert Dr. Brent Staggs, His Opinions and Reports, and Any Reliance Thereon. If  
6 called upon to do so, I could and would competently testify to the following from personal  
7 knowledge.  
8

9 2. Attached as **Exhibit 1** is a true and correct copy of the expert report of Report of  
10 Dr. Victor Roggli, dated February 25, 2020, disclosed to Plaintiffs on February 27, 2020.

11 3. Attached as **Exhibit 2** is a true and correct copy of the surgical pathology report  
12 dated October 3, 2018.

13 4. Attached as **Exhibit 3** is a true and correct copy of Mr. Toy's death certificate.

14 5. Plaintiffs attempted to resolve this matter by offering to withdraw Dr. Staggs as  
15 to all defendants who had not retained nor obtained a stipulation for Dr. Roggli's untimely report  
16 if defendants would agree to the same for Dr. Roggli.  
17

18 I declare under penalty of perjury under the laws of the State of California that the  
19 foregoing is true and correct.

20 Executed on this 30<sup>th</sup> day of April 2020 at Los Angeles, California.  
21

22  
23 

24 Benjamin H. Adams, Declarant  
25  
26  
27  
28

***In Re Toy Asbestos Litigation***  
**U.S. District Court, Northern District of California**  
**Case No. 4:19-cv-00325-HSG**

On April 30, 2020, I served the following entitled document:

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 30, 2020.

## Chelsea Weeks